



ZONING ADMINISTRATOR PERMITS

Fences & Hedges

Purpose: The purpose of zoning administrator review is to determine the appropriateness of fences and hedges which may only be suitable (a) in certain locations in a zoning district, (b) if designed or laid out in a particular manner and/or (c) subject to specific conditions.

Code Reference: Fremont Municipal Code Title 8, Chapter 2, Articles 22 and 25.1.

I understand that my plan review may be delayed if required materials are missing from the submittal package.

Project Applicant

Date

General Conditions:

An eight-year limited-term zoning administrator permit (Section 8-22211, Article 22 of the Fremont Municipal Code) may be issued for a fence or hedge if the following conditions are met and agreed upon by the applicant:

1. The fence or hedge will not create a safety hazard to pedestrians or vehicular traffic.
2. The fence or hedge is not located within the public right-of-way.
3. The fence or hedge does not exceed the height requirement within the triangular sight area as defined in subsection (c) of Section 8-22209.
4. The permit shall expire eight years from the date of issuance unless any of the following conditions occur first, in which case the fence or hedge must be brought into compliance with the provisions of the district in which it is located within 30 days:
 - a. The fence or hedge is found by the Zoning Administrator as irreparable and/or dilapidated;
 - b. At the time of additions or modifications to existing structures or the construction of new structures located on the property occurs with valuations exceeding \$50,000 cumulative over a consecutive 24 month period; or

- c. A transfer or sale of the property to a new owner occurs.
5. Prior to approval of a zoning administrator permit for a noncomplying fence or hedge, the property owner shall be required to record a Notice of Noncompliance with the Alameda County Recorder's Office. The Zoning Administrator may impose additional conditions to ensure that the fence or hedge is compatible with surrounding improvements and does not cause any adverse effects on the public health, safety or general welfare.
6. The permit shall be subject to revocation or modification by the zoning administrator or city council if the conditions of approval have not been fulfilled, or if the approval of the fence or hedge has resulted in a substantial adverse effect on the public health or general welfare.

An indefinite term zoning administrator permit (Section 8-22212, Article 22 of the Fremont Municipal Code) may be issued for a fence or hedge if the following conditions are met and agreed upon by the applicant:

1. The fence or hedge will not create a safety hazard to pedestrians or vehicular traffic.
2. The fence or hedge is not located within the public right-of-way.
3. The fence or hedge does not exceed the height requirement within the triangular sight area as defined in subsection (c) of Section 8-22209.
4. The issuance of such a permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, such as where the application of the general provisions deprives the property owner of reasonable sized yard areas.
5. The fence or hedge will not substantially impair the utility or value of adjacent property or the general welfare of the neighborhood.
6. The appearance of the fence or hedge is compatible with the design and appearance of existing buildings and structures in the neighborhood.
7. The fence or hedge is a planned architectural feature that does not dominate the site or overwhelm adjacent properties and structures.
8. The orientation and location of the fence or hedge is in proper relation to the physical characteristics of the site and the surrounding neighborhood.
9. The Zoning Administrator may impose additional conditions to ensure that the fence or hedge is compatible with surrounding improvements and does not cause any adverse effects on the public health, safety or general welfare.

10. The permit shall be subject to revocation or modification by the zoning administrator or city council if the conditions of approval have not been fulfilled, or if the approval of the fence or hedge has resulted in a substantial adverse effect on the public health or general welfare.

Submittal Requirements:

NOTE:

- Indicates an item which is always required.
- Indicates an item which may be required, depending on the project. The staff person who provides you this sheet will check (✓) the box if the item is required for your application.

- 1. A completed application form including:

Part I: Project information and the current property owner(s) signature authorizing the project proposal.

Part II Reimbursement Agreement with signature of the billing party acknowledging responsibility for charges.

Part III: A list of all consultants proposed to be involved with the project, or a statement that none are proposed to be involved.

Part IV: A statement signed by the applicant indicating whether the project site is found on the Hazardous Waste and Substances Sites List pursuant to California Government Code Section 65962.5.

Part V: Development Statistics

- 2. Plans including the following items:

■ a. Vicinity map showing a one-half mile radius of the site.

■ b. Accurately dimensioned site plan showing:

(1) Property lines.

(2) Location, configuration and setbacks of all existing and proposed buildings and intended uses for the buildings and site, including occupancy classification and type of construction as defined in the Building Code.

(3) Parking, vehicle circulation areas and driveways.

(4) Pedestrian ways and recreation areas, existing and proposed.

- (5) Fencing or hedges, existing and proposed.
- (6) Building footprints, driveways and fences or hedges on adjacent lots.
- (7) Easements on the property.
- c. Elevations and/or photos showing:
 - (1) Proposed or existing fencing or hedges.
 - (2) Height, size, colors and materials proposed.
- d. Landscape Concept Plans, new or modified, showing:
 - (1) Location, spacing, size, quantities, and botanical designations of all existing and proposed on-site, and required right-of-way trees.
 - (2) Shrub, groundcover, turf grass, and ornamental grass massing with botanical designations provided in list form and grouped by type, symbol, and water use.
 - (3) Concept sections and elevation drawings of all landscape architectural features such as walls, fences, lighting, paving types (and patterns), arbors, benches, fountains and other like features showing scale, form, materials, and colors.
 - (4) Existing trees proposed for preservation.
 - (5) Refer to the City's Landscape Development Requirements and Policies online at www.fremont.gov.
- e. Tree survey plan showing location, species, caliper and base elevations of all existing trees with a trunk diameter of four inches or greater measured four feet above grade. Groves may be shown in an outline.
- 3. The number of plans to be submitted with the application are:
 - a. Ten (10) copies of full-sized plans, collated and folded to a size NO LARGER THAN 8" x 13".
 - b. One (1) copy of the plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".

Hearing Notification: The City will notify all property owners, as well as businesses and residential tenants within a 300 foot radius.

As with all other costs, you will be billed for staff time to research, create and label the required postcards. If the public hearing is delayed for an extended period of time after notices for your project have been mailed, you will be charged the cost to re-mail postcards.

Materials: The remainder of the noticing costs are for the price of materials, including cardstock, labels and postage. We estimate materials to cost **46 cents per postcard**.

Example: If there were 85 notices mailed for your project (the average number of notices for planning projects), your cost will be:

1/2 hour of staff time	\$28.00
85 postcards @ 46 cents each	\$39.10
TOTAL COST	\$67.10

Schedule Time Line: Complete applications for zoning administrator permits are generally acted on by the Zoning Administrator within one month.

Incomplete Applications: An application is considered to be incomplete if any of the items checked on this information sheet have not been included. Processing of the application will be delayed until the submittal is determined to be complete.

Appeals: Appeals of Zoning Administrator action are considered by the Planning Commission. Appeals must be submitted within 10 calendar days of notice of staff action. See Information Sheet No. 2 for details.

Building Permits: Building permits are required for fences over six feet in height (lattice included).

Fees: The minimum deposit is _____ and is due at the time of submittal. The actual charge will be based on staff time required to process the application, including any appeal. Progress billings will be invoiced during the review of the project if charges exceed the minimum deposit. A refund will be invoiced at the completion of the project review if excess funds have been paid.

Requirements described on this sheet are subject to change. If you need additional information or clarification to prepare your submittal please contact the staff person who furnished you this sheet for further assistance.

Information sheet furnished by: _____ Phone: (510) 494-_____

for proposal: _____

_____ Date: _____